

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**DEBBIE BETTERTON, Individually,
and as surviving spouse and on behalf
of all of the next of kin and the wrongful
death beneficiaries of DAVID LEE
BETTERTON, Deceased,**

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:02CV318-P-A

EDWARD MORGAN EVANS, M.D.,

DEFENDANTS.

ORDER

This matter comes before the court upon Plaintiff's Objection to Magistrate's Order Denying Plaintiff's Motion to Alter and Amend Scheduling Order [206-1]. After due consideration of the objection and the responses filed thereto, the court finds as follows, to-wit:

The plaintiff has not demonstrated that the U.S. Magistrate Judge's August 25, 2006 Order denying the plaintiff's motion to designate a new expert on economic damages well after the close of discovery and some six weeks before trial was clearly erroneous or contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff's Objection to Magistrate's Order Denying Plaintiff's Motion to Alter and Amend Scheduling Order [206-1] is **OVERRULED.**

SO ORDERED this the 21st day of September, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE